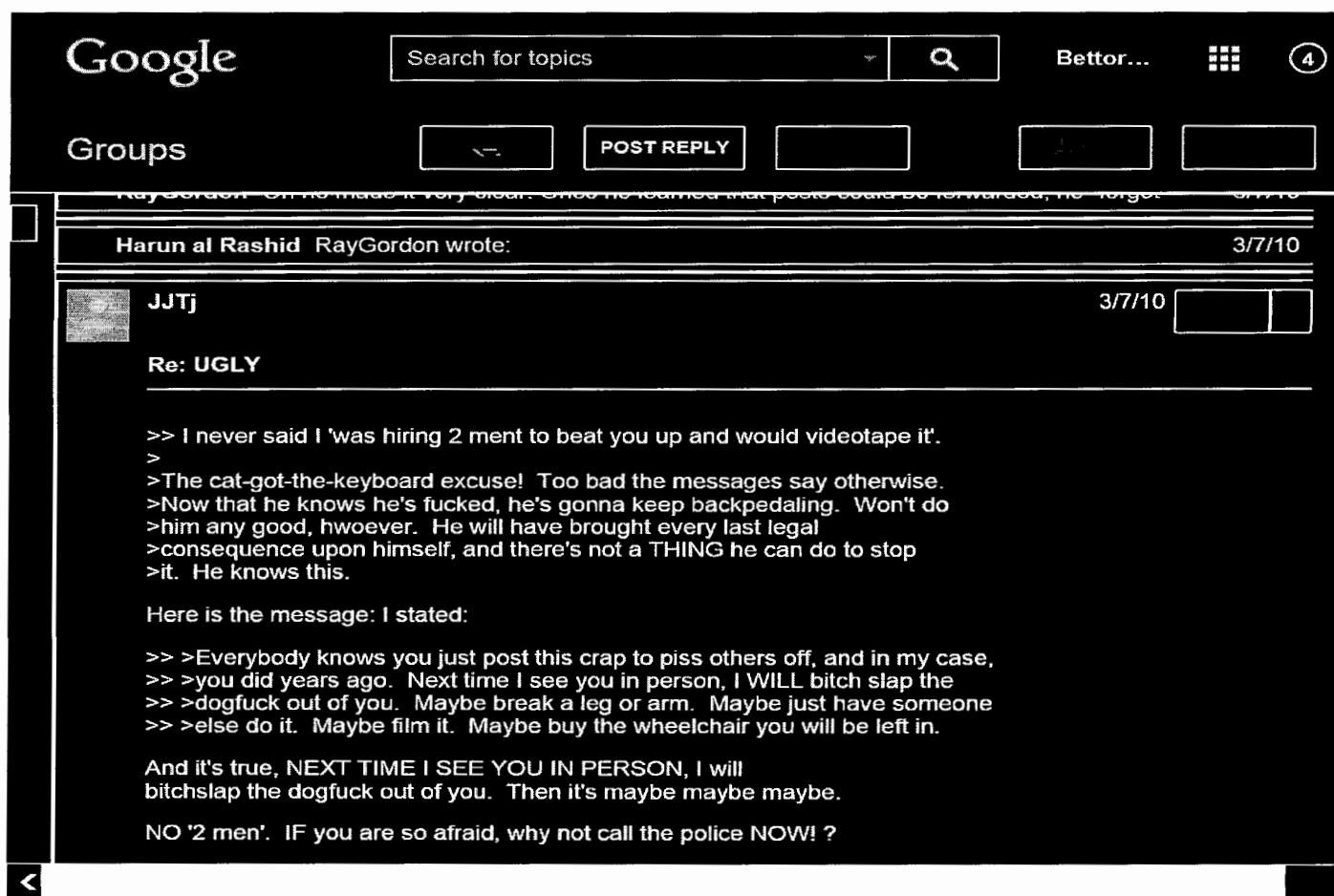




<https://groups.google.com/forum/#!original/alt.support.loneliness/QfUGMkCX9VQ/Z3eLO6qJiJoJ>
Retrieved June 11, 2015 2:22 am

59. On July 7, 2010, Tashjian threatened to "bitchslap the dogfuck out of" Plaintiff, leave him in a wheelchair, and "maybe film it":



[https://groups.google.com/forum/#!search/JJT\\$20threat\\$20beat\\$20me\\$20up\\$20video/alt.seduction.fast/TZYeSOkY_14/PjdQP7GjH3AJ](https://groups.google.com/forum/#!search/JJT$20threat$20beat$20me$20up$20video/alt.seduction.fast/TZYeSOkY_14/PjdQP7GjH3AJ)
 Message ID: 9ms7p5tlnqgeiko65rns37vkj87jb5ve5p@4ax.com
 Retrieved on June 11, 2015 2:40 am

60. This was far from the only threat from Tashjian (this Complaint would run five thousand pages if it included everything), who had claimed to have Plaintiff's mother on video. Tashjian's relatives include prominent attorneys and municipal employees (retired) in Worcester, not far from Clanton's Boston-area residence at the time. Tashjian is apparently on disability and "judgment-proof," a perfect beard for more powerful, more sinister forces.

61. In 2004, JJT posted repeatedly that he had been contacted by "folks" about making a movie concerning Plaintiff:

63. Also as noted on the ED page, Plaintiff's mother was contacted offline by Trunk, in April, 2007, by letter, just months prior to her death from cancer in July, 2007.

64. A few days after the first letter, which Plaintiff mentioned on ASF in order to flush out the author, a second letter arrived, notifying Plaintiff that copies of the second letter were being circulated around his neighborhood.

65. After Plaintiff published the notice that he had received a "death threat" against his mother (veiled, a reference to how Plaintiff could not survive financially after her impending passing), Trunk claimed to have found the letter online, read it, and that it did not contain any such threat. Trunk had also continued to link to the *RayFAQ*, now hosted by Tashjian.

66. On January 26, 2010, Plaintiff officially retired as a pickup artist (PUA), published *Bettor Off Single* for free, with advertising links to his other writing, on PUA and beyond.

67. Thanks to mass murders by failed PUA (Sodini, Rodger), Plaintiff has been thrust back into the spotlight, with a new generation of his haters linking to the ED page and the *RayFAQ*, with the former updated to reflect Plaintiff's new imputed "failures." Ironically, these are often anti-PUA feminists who are unwitting pawns of the very men they claim to despise.

Where Are They Now?

68. No one in this drama went on to rescue a drowning Brooke Shields, only to blow the reward money by hiring Van Halen to play their birthday party, nor, to Plaintiff's knowledge, has anyone used hot coffee to foil a convenience-store robbery. Instead, the modern internet, and current events, have, for Plaintiff, just as they have for @AdamFGoldberg, made the past keep getting clearer every day.

69. As *KTLA-5's* award-winning news desk may have reported, on February 8, 2012, San Diego resident **Derek "Odious" Trunk**, the self-appointed anti-pedophilia crusader whose sole mission on the internet seemed to be *To Catch A Plaintiff*, was sentenced to seventy-five (75)

months in prison for trafficking in child pornography, an offense he would not have been able to commit for as long had he been prosecuted for his conduct towards Plaintiff years earlier:

CHILD EXPLOITATION

02/08/2012

San Diego man sentenced to 20 years for possession of child pornography

ICE arrests 3 other area defendants on unrelated child pornography charges

SAN DIEGO – A registered sex offender has been sentenced to 20 years in federal prison for possession of child pornography following an investigation by U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI).

Jerry Louis Tintzman, 69, of San Diego, was sentenced Monday in federal court by U.S. District Court Judge Roger T. Benitez. At the hearing, Judge Benitez told Tintzman, "This is one of the longest sentences I have ever imposed, and you sir, are deserving of it."

Tintzman has been in federal custody since his arrest by HSI special agents October 18, 2010. Following his arrest, special agents executed a federal search warrant on Tintzman's home computer where more than 600 images of child pornography were discovered. He pleaded guilty to federal child pornography charges in December 2010.

Tintzman was previously convicted of felony charges for lewd acts involving two girls under age 14 and was listed on the California Megan's Law registered sex offender database at the time of his arrest.

"This sentence should serve as a warning to those who seek to victimize and rob young children of their innocence," said Derek Benner, special agent in charge for HSI San Diego. "HSI will continue to aggressively hunt down child predators who use the Internet to prey on vulnerable children. We will ensure this type of criminal activity is pursued and child predators are held accountable for their despicable behavior."

According to the court documents, Tintzman engaged in an online chat with an undercover HSI special agent whom he thought was the mother of a seven-year-old daughter. During the chat, Tintzman revealed he had a sexual interest in children five and older and told the undercover agent he wanted to engage in sexual conduct with the fictitious seven-year-old daughter. He then told the undercover agent he had dated the mother of his two prior victims.

Tintzman's sentencing comes less than a week after federal agents from the HSI cybercrimes unit in San Diego arrested three San Diego-area men on federal child pornography charges as part of an ongoing sex predator investigation. All three were taken into custody for possession of child pornography and will be prosecuted in federal court.

The individuals arrested are:

- James Achenbach, 52, of National City;
- Derek Trunk, 34, of San Diego; and

• Kenneth Cox, 68, of Escondido

<http://www.ice.gov/news/releases/san-diego-man-sentenced-20-years-possession-child-pornography>
Retrieved June 11, 2015 3:39 am

70. **Dominique Moceanu** later admitted to having been kept in the dark "about a lot of things" as a teenager. She is now a mother and roving gymnastics coach, and learned not long ago that she has a biological sister who was born without legs and given up for adoption at birth. Plaintiff had alleged that Moceanu was pledged by her parents to Bela Karolyi in return for the latter helping the former escape communist Romania ("An American Slave," USENET, 1997).

71. In 2009, **Thom E. Geiger** ran as an "indie" for mayor of Columbus, Mississippi...and *lost*. He still practices political activism.

72. When we come back, we'll reveal the most interesting *Where Are They Now?* of all.

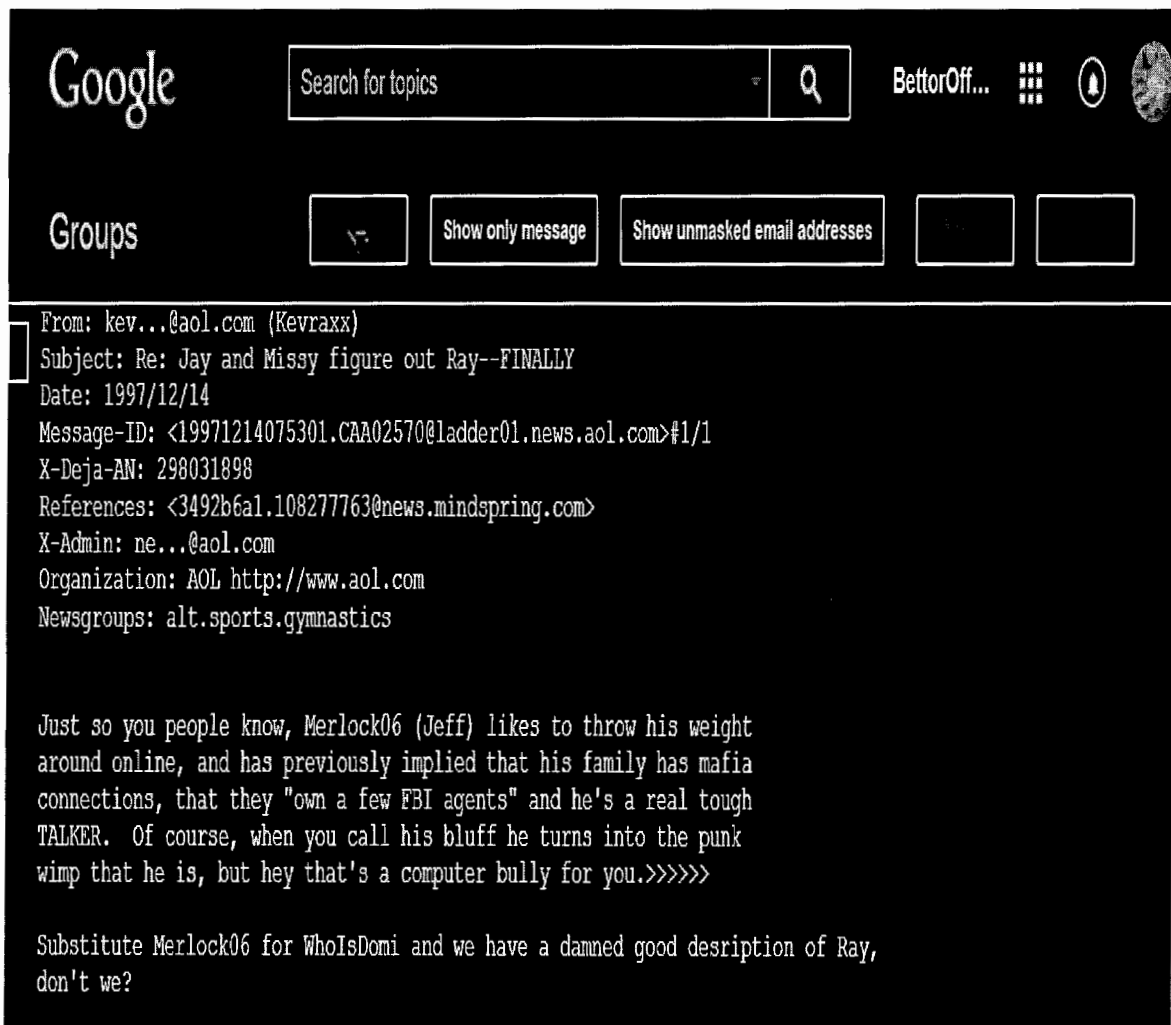
COUNT (SUB)ZERO: RICO VIOLATIONS AGAINST NO ONE

73. Plaintiff incorporates by reference, the entire contents of all previous paragraphs, as if fully stated verbatim herein.

A Friend To All Is A Friend To None

74. One of the *silent partners* of the *Gymnastics Mafia* was a teenager who went by the handle Merlock06@aol.com.

75. On December 14, 1997, while Plaintiff's mother was being impersonated by Clanton and or Merlock and the *Mafia*, in exchange for celebrity access to sexually abused gymnasts, Plaintiff posted a "protective" warning message to *alt.sports.gymnastics*, concerning Merlock, which was replied to by *Mafia* member Kevraxx, likely an alternate identity for Merlock:



<https://groups.google.com/forum/#!original/alt.sports.gymnastics/mmp58gdPuMo/1WWOVIGsw6kJ> (Quoting Plaintiff's Allegations)

Retrieved June 11, 2015 5:57 am

76. On June 29, 1998, Merlock06 posted, to *alt.sports.gymnastics*, a purported IM exchange with Plaintiff (in parts):

Google

Search for topics

BettorOff...

Groups

Show only message

Show unmasked email addresses

From: merl...@aol.com (MerLock06)
 Subject: Re: *Off Topic* IM with Ray
 Date: 1998/06/29
 Message-ID: <1998062919323200.PAA25961@ladder03.news.aol.com>#1/1
 X-Deja-AN: 367189997
 References: <1998062901450200.VAA00842@ladder01.news.aol.com>
 X-Admin: ne...@aol.com
 Organization: AOL http://www.aol.com
 Newsgroups: alt.sports.gymnastics

CYouIn2000: Thank you for making me realize why I have to sue your buddies, and fast. That they are snowed by a phony like you says an awful lot. You made a lot of noise with that mouth; but all you did was hurt your friends. Not wise. Not wise at all.....

CYouIn2000: You must be pretty damn scared of a lawsuit to make threats like that.

MerLock06: my friend... You do what you have to do and ill do what i have to do period end of story.....

CYouIn2000: You won't do anything

CYouIn2000: We all know this

CYouIn2000: You wouldn't put Amanda or Nique at risk like that

CYouIn2000: You're not that dumb

CYouIn2000: Your name is already with the FBI

CYouIn2000: Stop watching those movies. Real life doesn't work that way.

CYouIn2000: You hope I'll get scared and back off but I work the opposite way. The suit is now my top priority.

CYouIn2000: Yep, all mouth.

CYouIn2000: I suggest you find your manhood in the rest of your body other than your mouth.

CYouIn2000: With protection like you, those girls don't need enemies.

CYouIn2000: I have a legitimate case. You have a "BLEEP" dictating your actions.


CYouIn2000: And all you do with yourBLEEP is make my case more and more legitimate

CYouIn2000: If you were what you said you were you would realzie how poor of an imposter you are.

CYouIn2000: Some people really are in the line of work you claim to be in.

https://groups.google.com/forum/#!original/alt.sports.gymnastics/ecx9_kWyILQ/7WG5X0_J5wEJ (all parts at link)

Part 1 Above Retrieved June 11, 2015 4:55 am

Google BetterOff... 

Groups

or an imposter you are.

CYouIn2000: Some people really are in the line of work you claim to be in.

CYouIn2000: And one thing they can't stand is a wannabe

CYouIn2000: So when you get an education on how things are done on that side of the fence, don't whine to me.

CYouIn2000: I would suggest you not try that stunt on anyone else because others would be far less tolerant of it than I.

CYouIn2000: And that is friendly advice, even though you aren't deserving of any.

CYouIn2000: Good boy. Stay quiet.

CYouIn2000: You need to if you don't want further problems.

MerLock06: HAHHAHA i was wondering do you think its healthy to talk to yourself?

CYouIn2000: You don't get it

CYouIn2000: If you are lucky you never will get it

MerLock06: you have no clue myfriend... but youll learn soon enough

CYouIn2000: Oh I have a clue

CYouIn2000: You don't

CYouIn2000: Your protection has the opposite effect

CYouIn2000: Anything that happens to me happens to them 10 times worse

CYouIn2000: You call that an even trade be my guest

MerLock06: good youll need it HAHHAHA You do what you have to do and ill do what i have to do remember that SON..

MerLock06: this book is shut

CYouIn2000: You still don't get it

MerLock06: ciao

CYouIn2000: But you will

CYouIn2000: You're a goner

CYouIn2000: Legally

CYouIn2000: Sorry little man

CYouIn2000: Thinks he can scare people with that mouth.

CYouIn2000: You know you don't have a leg to stand on

CYouIn2000: Pathetic geek

CYouIn2000: You're a lot more intelligent when you say nothing.

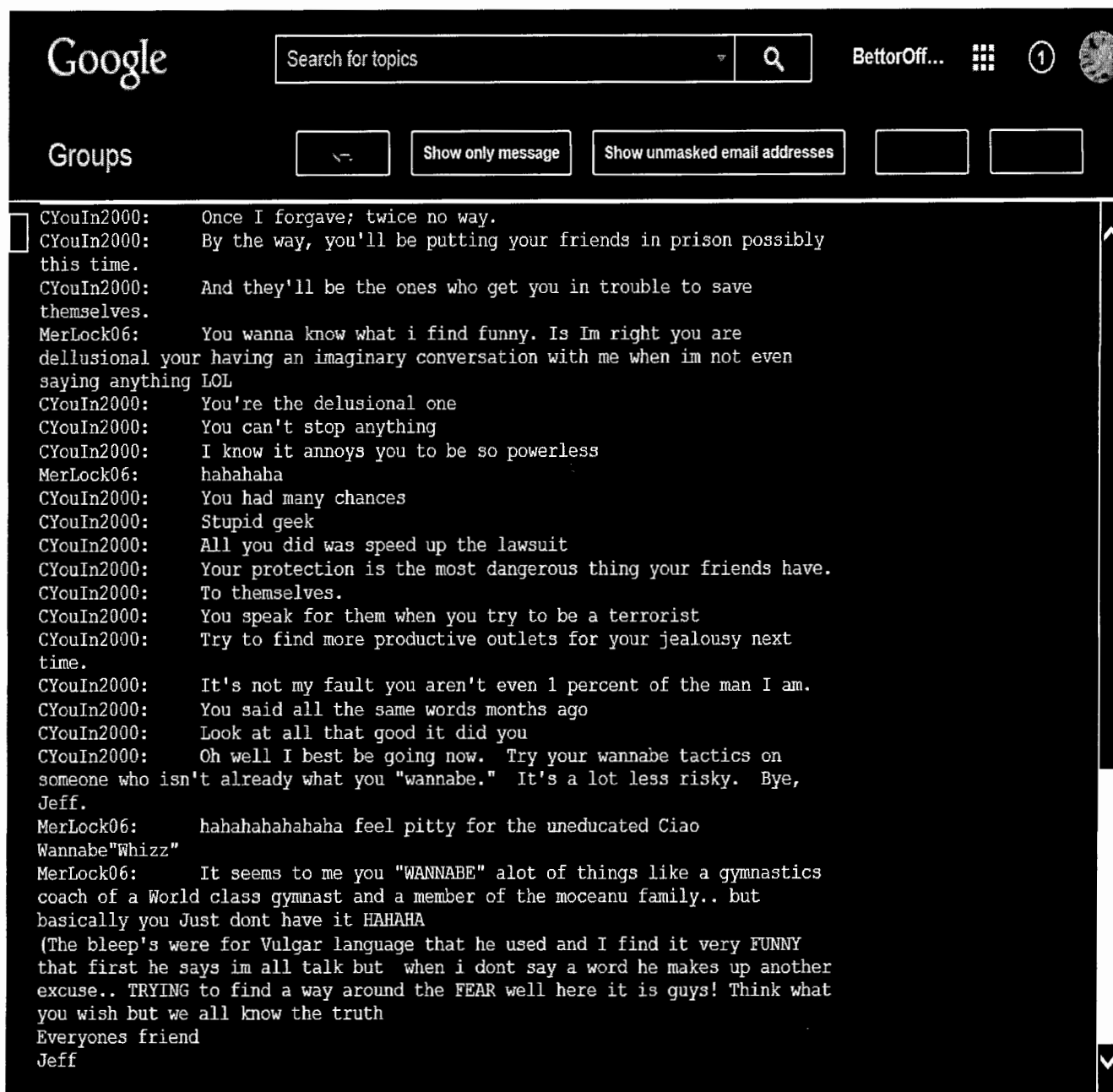
CYouIn2000: All you do is hurt those girls with your words.

CYouIn2000: You ran your mouth before like this, remember?

CYouIn2000: Once I forgave; twice no way.

CYouIn2000: By the way, you'll be putting your friends in prison possibly this time

Part 2 Above



Part 3 Above

77. This exchange has temporal proximity to the creation of the *RayFAQ*, and followed numerous direct, terroristic, and frightening threats made against Plaintiff in an IM, and in the Gymnastics Chatroom on AOL.

78. Though Plaintiff said most of the words in the chat, it was Merlock's *presence* which did the real talking, revealing his protector role. His lines were straight out of mafia fiction:

a) "My friend...you do what you have to do and I'll do what I have to do period end of story." (Part I)

b) "hahaha I was wondering do you think it's healthy to talk to yourself?" (Part II)

c) "You do what you have to do and I'll do what I have to do remember that SON..."
(to the best of his knowledge, Plaintiff's late mother and Merlock never had sex). (II)

d) "You wanna know what I find funny. Is Im right you are dellusional [sic] your [sic] having an imaginary conversation with me when im not even saying anything LOL." (III)

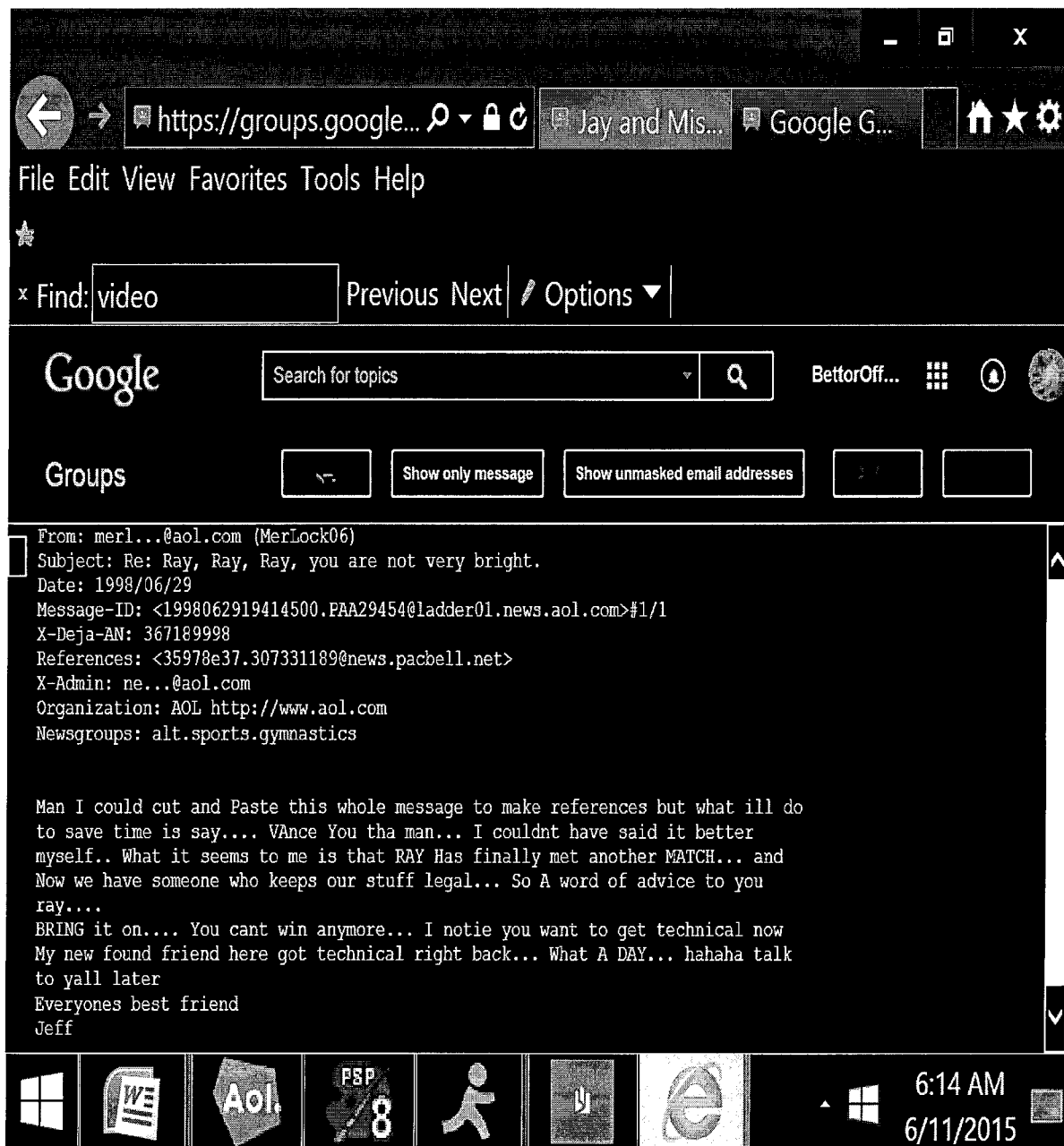
e) [in response to being called a *wannabe*] "hahahahahahaha feel pitty for the uneducated Ciao Wannabe "Whizz'. (Plaintiff's AOL name in 1996 was WhizardRay) It seems to me you "WANNABE" alot of things like a gymnastics coach of a World class gymnast and a member of the moceanu family.. but basically you Just dont have it HAHAHA" (III)

f) [to the audience]:

(The bleep's were for Vulgar language that he used and I find it very FUNNY that first he says im all talk but when i dont say a word he makes up another excuse.. TRYING to find a way around the FEAR well here it is guys! Think what you wish but we all know the truth *Everyones friend Jeff*

79. All Plaintiff knew in 1998 was that Merlock lived near...*Boston*, claimed to be short, fat, Sicilian, and went by the name Jeff, information not sufficient, even if accurate, to identify him without subpoena to AOL.

80. Also on June 29, 1998, Merlock posted the following to USENET:



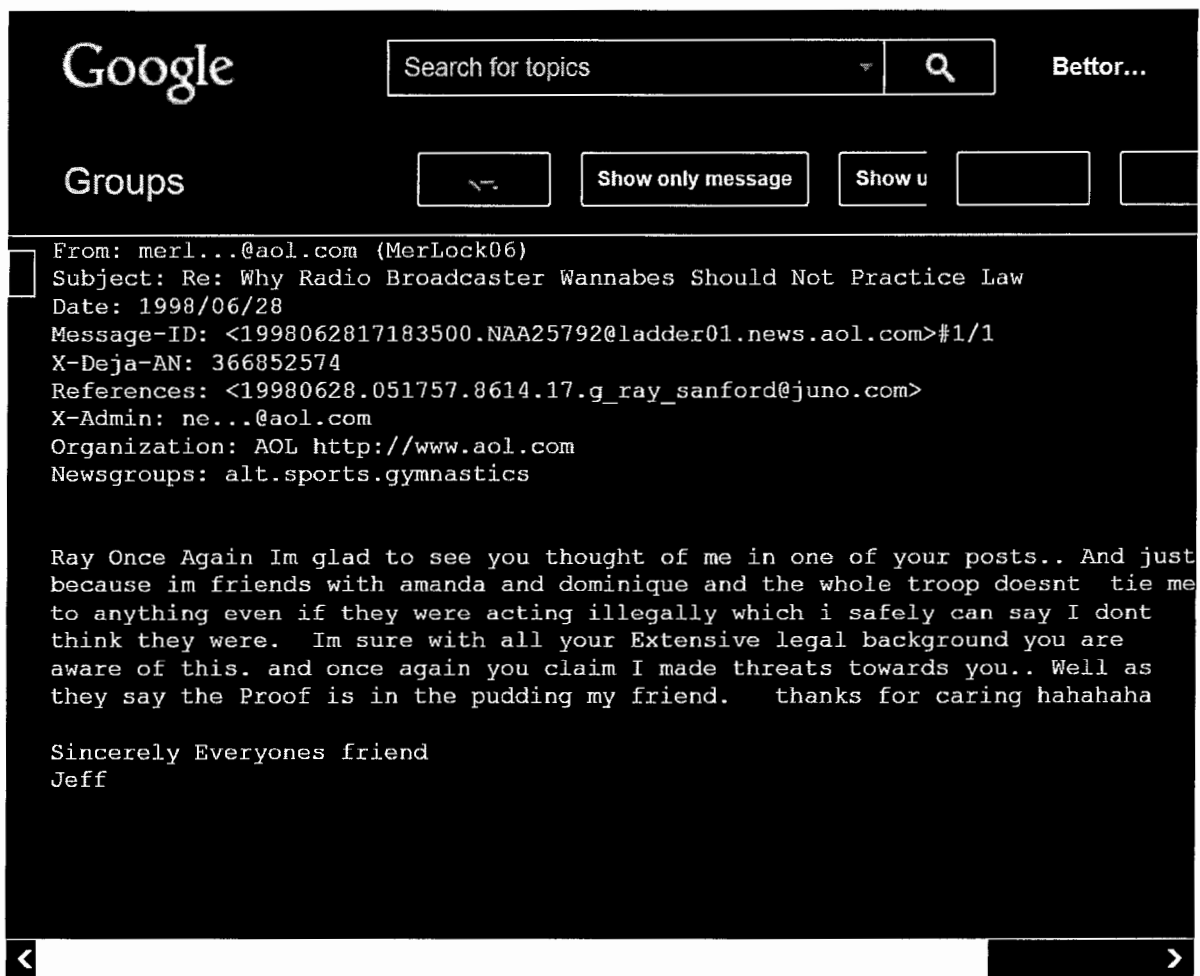
<https://groups.google.com/forum/#!original/alt.sports.gymnastics/bAfQhOU6D3o/pNmxe1x8iPoJ>

Retrieved June 11, 2015 6:21am

81. "Vance" refers to Vance Lear, a judgment-proof, homeless member of the *Hypnosis Mafia*, based in San Francisco compensated for hiding the true source of internet attacks against Plaintiff. Vance has falsely claimed a Ph.D. in psychology, and that his late wife, Leslie Harivel, a big-firm paralegal, was an attorney, an insult to big-firm paralegals everywhere. Just as Defendant found the ED page a convenient ally, friend-to-all Merlock immediately embraced

Vance, who had once threatened to "come after" Plaintiff during a harassing telephone call in 2002. Lear has also claimed to have worked with the world's leading psychiatrists; about this Plaintiff has absolutely no doubt.

82. Emboldened by his new legal advisor, Vance Lear, Merlock (the webmaster for several elite "*Mafia*-protected" gymnasts, and editor of a gymnastics website) forged ahead with his mission to completely ruin Plaintiff, hopefully to the point of suicide. Merlock's motivation for this burst of verbal aggression had been posted one day prior:



<https://groups.google.com/forum/#!original/alt.sports.gymnastics/vZBkQyhDQVw/UyQ7RqI-zGMJ>
Retrieved June 11, 2015 7:18am

83. Merlock claimed that he was *friends* with *Magnificent Seven* gymnasts Moceanu and Amanda Borden, making him a firsthand witness to their private lives. In another post, he

claimed that Plaintiff's claims that Moceanu was being abused were libelous, and that she could sue him over that (Plaintiff wanted sunlight on the abuse).

84. During one of their IM *sitdowns*, Merlock parted with some central wisdom: "*Revenge has NO time limit*," he said. By this, Plaintiff mistakenly believed that Merlock was referring to there being no limit on how long one could delay exacting revenge, but it appears Merlock also meant that there was no limit on how long he could ruin Plaintiff, for here we are in 2015 with Defendant grinding the eighteen-year-old axe of this thirty-five year-old man who warned Plaintiff never to forget him as a threat. Heeding this warning, Plaintiff internet-snooped the Merlock06@aol.com e-mail address, just in case this *Merlock* loser still held a grudge:

Jozek Kalitka	jpirx@comcast.net	1150 Ea Ave	^
Jozek Kalitka	jpirx@pacbell.net	1150 Ea Ave	
Mark Kalivas	mark.kalivas@msn.com	211 sale	
Mark Kalivas	mkalivas@hotmail.com	211 sale	
Jeff Kalligheri	merlock@att.net	19 CLAI	
Jeff Kalligheri	merlock06@hotmail.com	19 clapp	
Jeff Kalligheri	merlock06@msn.com	19 Clapp	
Jeff Kalligheri	merlock1@aol.com	19 Clapp	
Jeff Kalligheri	merlock06@yahoo.com	19 Clapp	▼
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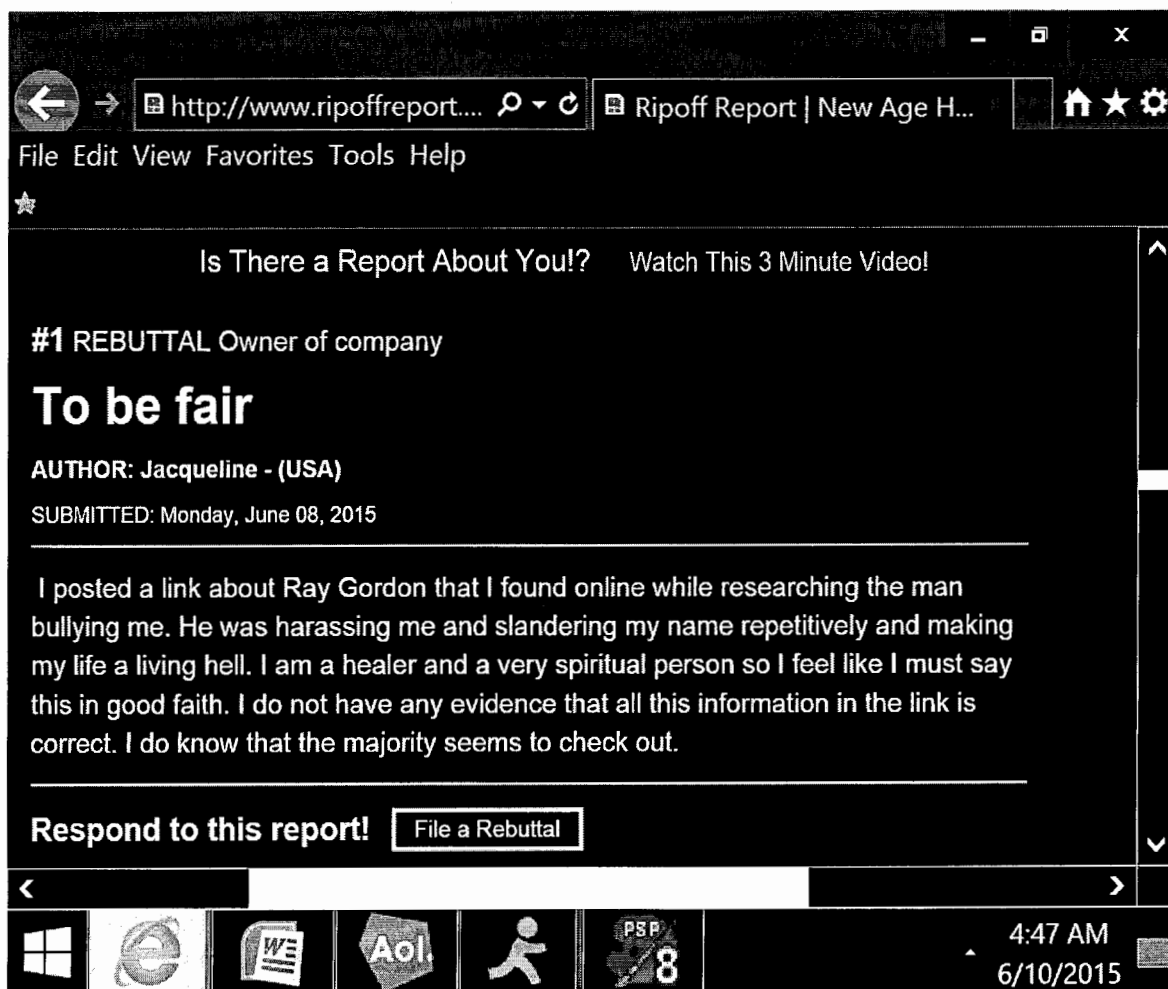
85. Plaintiff hears that Kalligheri is physically tough; mostly from Kalligheri, but that's what he hears. The modern internet tells all: Merlock06@aol.com, a/k/a *Everyone's Friend*,

turns out to have been Kalligheri, who recently built a strong filming presence in Qatar, and whose most recent film, *Big Game*, starring Samuel L. Jackson and a thirteen year-old Dutch actor, has received international critical acclaim. Following is a list of production companies involved in *Big Game*:

Production companies	Altitude Film		
	Entertainment Ltd		
	Bavaria Film Partners		
	Egoli Tossell Film GmbH		
	Film House Germany		
	Head Gear Films		
	Ketchup		
	Metrol Technology		
	Subzero Film		
	Entertainment		
Distributed by	VisionPlus Fund I		
	Waterstone		
	Nordisk Film Distribution (Scandinavia)		

86. Kalligheri produced this film in partnership with Subzero Film Entertainment.

87. For this "count to nowhere," Plaintiff asserts a global, association-in-fact RICO enterprise based on traditional Sicilian *Mafia* crime, which also includes international child sex trafficking, masterminded by proven child-abuse enabler Jeff Kalligheri, and recently furthered by Defendant's predicate act of extortion in violation of the Hobbs Act. This, however, is no longer Plaintiff's dogfight, and is set forth solely (as background, not an actual count) to rebut Defendant's statements concerning Plaintiff via her link to the ED page, the one Defendant called *research* in her second *Ripoff Report* rebuttal:



88. Defendant notes here that she "[does] not have any evidence that all this information in the link is correct." Speaking of which:

COUNT ONE: DEFAMATION (AS PUBLISHER)

89. Plaintiff incorporates by reference, as if fully stated verbatim herein, the entire contents of all previous paragraphs.

90. The following statements by Defendant are in controversy in this count:

a) The claim that Plaintiff was "harassing [her] or slandering [her] name" (paragraph 88);

b) 1) The contents of both the ED Page and the essay authored by Clanton to which it links (paragraph 36), 2) all factual misstatements from the page noted hereinabove, including but not limited to Plaintiff having authored the essay or being a pedophile.

c) All other statements, to the extent they are proven individually defamatory at trial, or, collectively, that they portray Plaintiff in a false light, bringing shame and disgrace on he and his family for generations to come.


91. The statement in 93(a) is false; indeed, it was *Defendant* who "harassed" Plaintiff, first making him vulnerable by posting a powerful hypnosis video, then by breaching the contract, and then by ignoring his request to cease all contact once fired. Defendant's protest/warning posts, and his review, were made "on the way out," and did not constitute direct contact with Defendant, but rather public-square commentary. By contrast, Defendant has been inciting her minions to contact Plaintiff directly, and with threatening hostility:

Find tacos, cheap dinner, Max's Near Philadelphia, PA

Home About Me Write a Review Find Friends Messages Talk Events

Your review

Between The P. and Ray G.




The P.
Beverly Hills, CA
0 0

You know what? I'm sick of you. You've harassed Kismet, Katherine Anne, Nisiyori and now Jacqueline...

I know all about you and I've told Jacqueline as such.

You sued Google and lost. You know shit about hypnosis and you live with your mother at 40 + years old. You have no money.

You post about cyberbullying on yelp, yet that's exactly what your doing to Jacqueline. I'm telling everyone in the community of you're return and from now on you wanna pick on someone you freaking lowlife, you pick on me!



Ray G.
Philadelphia, PA
0 4

If Jacqui didn't ask you to contact me, "you" are the one stalking her by involving yourself in her life. If she DID ask you to contact me, she's the source of the conduct.

I'll patiently let the truth reveal itself in court.

Reply:

^

v

Yelp Message From "The P"

92. The statements on the ED page in 93(b), including but not limited to the claim that Plaintiff authored the rape/murder essay, are false and misleading, as set forth in paragraph 46.

93. The statements were a) made to third parties, who b) clearly understood their meaning, c) were not privileged, d) not consented to by Plaintiff, and e) libelous *per se*. Based on preponderance of the evidence, f) similarly slanderous statements have been made verbally, by Defendant, to friends and acquaintances, adding g) slander as an element of this count.

94. By endorsing the link to ED, claiming she had performed "research" on Plaintiff rather than just making a casual link, and saying "most of the information seems to check out," Defendant made the ED Page her own, elevating herself to the status of publisher. Alternatively, Defendant has not proven the third-party origination of the content required for immunity.

95. As set forth hereinabove, Defendants statements run afoul of the Pennsylvania tort of libel; Plaintiff states this claim for relief on that basis.

96. As a direct and proximate result of Defendant's statements, Plaintiff has suffered irreparable harm, including, but not limited to, pain and suffering, loss of current and retirement income, fear for his safety at the hands of vigilantes who might "Google" him when encountering Plaintiff in his daily life, and loss of reputation and social standing.

97. Plaintiff is entitled to a) compensatory damages in an amount to be proven at trial; b) punitive damages, for Defendant's willful and malicious conduct; and c) injunctive relief sufficient to terminate the actionable conduct and make Plaintiff whole.

COUNT TWO: DEFAMATION (AS DISTRIBUTOR)

98. Plaintiff incorporates by reference, as if fully stated verbatim herein, the entire contents of all previous paragraphs.

Section 230 Constitutional Challenge Mini-Memorandum (Federal Rule 5.1)

99. Jeff Kalligheri may be *everyone's friend*, but Section 230 is his best friend. To quote the parrot:

"Rraaaach!! Section 230!.....Section 230!....rrraaaach!! DISMISSED!!"

100. This parrot, now extinct in the remainder of the world, where Plaintiff would win this lawsuit without difficulty in five hundred out of every hundred jurisdictions not named America, has lobotomized Plaintiff's home-country judiciary, while ignoring two key factors: a) the

SCOTUS has never ruled on Section 230; and b) the law, as written, says nothing about *distributor* liability. Now, all but the first of an infinite gang of defamers are given a license to destroy anyone's reputation at will, without consequence, making *I heard it on the internet* as absolute a defense as truth, even as one is told not to trust what one reads online.

101. Plaintiff is currently seeking legal representation in Australia and the United Kingdom, where judgments for equally defamatory statements run well into the six-figures. He asks this court to consider *why* this case would win so easily, so it may address the *right to reputation* for which the SCOTUS laid the foundation in Paul v. Davis, 424 US 693 (1976), where the dissent said the constitutional right to reputation -- recognized in the EU, where the *right to be forgotten* exists and even truth is not a defense to defamation -- already exists, and the majority said that a secondary harm, such as the loss of employment to internet-searching, were present; in 2015, unlike 1976, secondary, constitutional harm can now be inferred.

102. If *Judge Parrot* hears this case, summarily dismissing it solely because of Section 230, Plaintiff will be relegated to a lifetime of having to answer for decades-old lies which, to this day, continue to harm his career, chances for regular employment and to fulfill the public interest of self-sufficiency, and ability to form social and business connections. The public will continue to simultaneously harmed by deception.

103. Public-interest arguments in favor of Section 230 are wiped by the greater *constitutional* interest in truth, an interest which spawns public interests such as the need for reliable consumer data, also rendered impossible by Section 230's "freedom to lie" interpretation. *Why should a consumer trust any information about any product or service, if no one can be sued for lies?* Section 230 or not, Defendant accused Plaintiff of pedophilia. Under existing law in all fifty states, that is actionable defamation, a tort developed to replace *dueling*.

104. While this court was threatening Plaintiff with sanctions for suing Google for distributor libel, Plaintiff had predicted at the time that as more sympathetic targets -- i.e., *women* -- emerged, that legislative judicial gymnastics would ensue. The *revenge porn* crusaders have proven this, with entirely new federal laws specifically drafted as an end-run around 230, such as the proposed federal anti-revenge-porn law. The simpler option of fixing 230 in the first place for all people has yet to penetrate the public consciousness.

105. For this count, Plaintiff avers identical damages, motivation, and level of malice, pleading his claim for relief identically to Count One above, except based on distributor liability, and seeking identical relief.

106. Alternative to the foregoing, Plaintiff asks that this court apply British and Australian defamation law here, on the grounds of judicial economy, and because both parties derive income from an international audience which includes these countries.

COUNT THREE: BREACH OF CONTRACT

107. Plaintiff incorporates by reference, as if fully stated verbatim herein, the entire contents of all previous paragraphs.

108. *A deal is a deal* (paragraphs 19-22). Defendant broke the deal (paragraph 24), thus violating the Pennsylvania tort of Breach of Contract; Plaintiff states this claim for relief on that basis.

109. This case is analogous to Kim Basinger's having bailed out of *Boxing Helena*, for which she paid \$3.8 million in settlement.

110. While no distribution rights for either video had been negotiated, for purposes of this suit, Plaintiff had an *audition* with Defendant, which, if successful, would have lead to commercialization of the work, and future projects. Alternatively, even without

- commercialization, the contracted video was to play a pivotal role in furthering both the eye and chess video projects. The breach cost Plaintiff that chance-of-a-lifetime audition, in a manner which cannot easily be restored.

111. Absent Defendant's breach, Plaintiff would have a chess video for personal use, and have completed his "audition" for commercial partnership and continuing collaboration.

112. Direct restoration of Plaintiff to "whole" status via performance of the contract is not possible, given what has transpired. Plaintiff estimates that, starting from scratch, it could cost as much as **\$325,000.00** to yield a comparable video from a SAG-AFTRA actress with comparable skill. That this was not a SAG-AFTRA gig is not relevant when calculating the replacement cost of the breach, especially since Plaintiff had every intention of becoming a signatory had the need for him to do so arisen.

113. Because the breach was wanton, willful, and intentional, Plaintiff is entitled to punitive damages, in addition to the compensatory damages outlined hereinabove, and any injunctive relief necessary to make him whole.

COUNT FOUR: FRAUDULENT MISREPRESENTATION

114. Plaintiff incorporates by reference, as if fully stated verbatim herein, the entire contents of all previous paragraphs.

115. "***I am not a fetish model!***," Defendant cried, oblivious to her spelling error.



jacquiholland
@jacquiholland



 Follow

I sell #customvideos @Customs4u! Order yours TODAY at customs4u.com/customs/power-...!
#customclips #clips #fetish







FAVORITE
1



1:20 AM - 11 Apr 2015

Cherie DeVille
Kendi Cumming
Brooke Marie





116. Defendant could have fooled Plaintiff...indeed, as if mother nature performing tricks with margarine, she *did* fool Plaintiff into thinking she was *butter*. In the course of fooling him,

Defendant ran afoul of the Pennsylvania tort of fraudulent misrepresentation; Plaintiff states this claim for relief on that basis.

117. Defendant, a SAG-AFTRA actress who wouldn't have dreamed of pulling a stunt like this on a big-studio executive like Jeff Kalligheri, should have known better. Her actions were intentional and self-serving.

118. But for the fraudulent misrepresentation outlined hereinabove, Plaintiff would have a) proposed the eye video instead of the "edgier" chess video, and b) not dealt with Defendant via *Customs Club*, doing so instead as a regular hypnotherapy/hypnosis client, thus avoiding her issues with the *fetish* world of which she claims not to be a part, reality notwithstanding.

119. The damages and remedies pled in Count Three above (paragraphs 107-113) are identical to those which Plaintiff now sets forth for this Count Four, as if fully stated verbatim.

COUNT FIVE: DECLARATORY RELIEF

120. Plaintiff incorporates by reference, as if fully stated verbatim herein, the entire contents of all previous paragraphs.

121. In the absence of a responsive pleading which includes a counterclaim for defamation, Plaintiff seeks a declaration that his *Yelp!* review contains no false and misleading statements concerning Defendant.

122. Alternatively, even if this court finds that there are false and misleading statements in the *Yelp!* review, rather than mere opinion, Plaintiff seeks a declaration that he has retracted his statements, and attempted to mitigate any and all harm to Defendant (such as with the temporary five-star review emphasizing only Defendant's induction skills). This court now has a practical, real-world example of how Plaintiff's speech was chilled by the litigation threat.

PRAYER FOR RELIEF

Plaintiff prays to God Almighty, His Son, and the Holy Ghost, but also to this Court, for the following relief:

1. Compensatory damages in the amount of SIX-HUNDRED SIXTY-ONE THOUSAND DOLLARS (\$661,000.00), including \$325,000 for the breach and fraud claims, and \$336,000 for the defamation claims.
2. The maximum punitive damages allowable by law.
3. Costs of suit, including attorney fees, where permitted.
4. An order declaring that Plaintiff's *Yelp!* review contains no false and misleading statements concerning Defendant.
5. Absent a timely counterclaim, a "put up or shut up" order barring Defendant from ever bringing her previously threatened lawsuits, and further deeming any such action, if permitted, in violation of both the anti-SLAPP laws and the Dragonetti Act.

JURY TRIAL DEMANDED

Plaintiff demands that the instant action be tried by a competent jury of his civic-minded peers.

This the 12th day of June, 2015

Guthrie - orig

Gordon Roy Parker

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PLAINTIFF

EXHIBIT A
Plaintiff's Yelp! Review Of Defendant

Hypnosis is a known sexual fetish, which is why attractive female hypnotists can write their own ticket. Jacqui has provable ties to the hypnofetish community. See her interview at the "Girls And Corpses Graveside Zombie *Fetish* event from 2013:

[external link redacted]

She and Hypnotist Joel Silver performed at the Girls And Corpses Spring Issue 2013 Premier And Hypnosis Show:

[external link redacted]

Jacqui has also said she has performed at "grad nights." There are MINORS at those shows. Would anyone want a male hypnofetishist hypnotizing their underaged daughters? It's not that Jacqui herself is a problem per se, but the hypnosis she performs triggers fetishes in 4-6 percent of the population, more at a show.

Any woman intelligent enough to hypnotize people on stage is more than intelligent enough to know she's turning on almost every male who falls under her spell. Beauty itself is hypnotic, and adds to the trance, even if the ostensible purpose is therapeutic. As a general rule, it is wise to keep the lines between stage hypnosis, fetish hypnosis, and therapeutic hypnosis well-drawn; this is why I never became a hypnotherapist.

After finding a very powerful induction (and very sexy, replete with phone-sex voice and dominant overtones), from Jacqui on YouTube, I tried to see if she had any videos for sale on the clips site. It is there that I found this highly trained SAG actress (all of which make for vastly superior hypnotists) had a page on "Customs Club," a website for custom fetish hypnosis videos. I offered Jacqui \$1,000 to perform a sexy induction with deep mind control, for the purpose of helping my chess (by tying the motivation to win to getting a beautiful woman, and through the rejuvenative effects of the hypnosis itself). She accepted my offer, but I had sent a duplicate and asked her to clear that up by e-mail. Jacqui's response to my e-mail was a request for me to pay her by PayPal, which would have risked my account, as they don't allow adult transactions, and it would have required me to cut out Customs Club, which was not fair to them.

I immediately declined the transaction, and was no longer comfortable dealing with Jacqui, who put me in a bad position since now she is useless to me as a hypnotist, as I didn't trust what she had done, and other hypnotists are useless because they lack her extreme level of talent and training. It's like hypnosis suddenly becomes a drug you know isn't the strongest. Hypnosis's fatal flaw is that other people control its dosage. In this case, I have to use what my brain knows to be inferior hypnosis while patiently waiting for a superior hypnotist to come along, what could be a long wait though I'm guessing Jacqui's ultimate gift to me will be the hundreds of copycats who come around later. Someone who claims to understand artists didn't do a good job in my case, and I would rather have never seen her hypnosis at all than to be bait-and-switched in what I consider such a dishonest manner. Is she talented? Extremely. Would I recommend letting her inside your head? Never. I've been doing hypnosis since I was eight. Hypnotists like Jacqui are great if they like you or want something, and can be a psyche-injuring nightmare otherwise. She crossed into a seriously controversial gray area when she put up that fetish video page as well. A male hypnotherapist with a similar duality would be met with skepticism at best.

Technically speaking, she has a "theoretical seal" based on my perception of her ability that will not be broken until a superior trance is induced. I've been through this before; the longest I had to wait for one to break was nine years. Because a hypnotist is not obligated to work on a subject, there is no penalty for leaving one sealed, but there should be. Anyone who can hypnotize you can seal you, intentionally or unintentionally, and if they do, you are at their mercy. You've seen how she behaved in that position with me. I cannot speak for what she would do with anyone else.